IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital: the 7th day of November 2005
Bail Application No. 1052 of 2005
Order on the bail application of accused

CRIMINAL SIDE

Guddu Lal
S/o Late Shri Tillu Lal
R/o Village Jungle Chatti
Police Station Karanprayag
District Chamoli …Applicant

Versus

State of Uttaranchal … Opposite Party

Arising out of Case Crime No. 439 of 2005
Under Sections 363, 366, 376, 506 I.P.C.
Police Station Karanprayag
District Chamoli

By the court

Hon'ble B.C. Kandpal, J

The applicant has applied for bail in case crime No. 439 of 2005 Under Sections 363, 366, 376, 506 I.P.C., Police Station Karanprayag, District Chamoli.

Heard Sri R.P. Nautiyal, learned counsel for the applicant, learned A.G.A. and perused the record.

The First Information Report shows that the prosecutrix Km. Rameshwari eloped with the applicant on 08.08.2005 and thereafter, she came to her house on 13.08.2005. During this period, she stayed in the company of the applicant at several places. The medical examination report shows that the prosecutrix was found habitual of sexual intercourse.

According to the prosecution case, the age of the prosecutrix was 17 years at the time of the occurrence. The medical version also supports the case of the prosecutrix as far as the age of the prosecutrix is concerned.

Having considered the aforesaid facts and circumstances of the case, I think, it would be just and proper to release the applicant on bail at this stage.

Let the applicant Guddu Lal be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of C.J.M. concerned.

(B.C. Kandpal, J.)

07.11.2005
ASWAL